S.B.Civil Second Appeal No.245/2006

Bhanwar Lal. vs. Moti Lal & Ors.

Date : 6.12.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr.S Rajpurohit for Mr.JR Beniwal, for the appellant.

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The appellant has submitted an application seeking permission to withdraw this appeal in the spirit of Lok Adalat and according to learned counsel for the appellant, the matter has been settled between the parties amicably with the intervention of good person and in the spirit as provided under Section 89 CPC, therefore, the appeal may be dismissed as withdrawn and the court fees paid by the appellant be refunded to him.

Since the matter has been settled between the parties amicably in the spirit of Lok Adalat and in view of spirit of Section 89 CPC, it is deemed proper that the court fees amount be refunded to the appellant. For that purpose, office may issue necessary certificate for refund of court fees of Rs.1715/- in the name of learned counsel for the appellant. Learned counsel for the appellant to submit a receipt from the appellant of the receipt of the court fees amount in

the office of this Court.

Consequently, this second appeal is dismissed as withdrawn.

(PRAKASH TATIA), J.

S.Phophaliya